

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

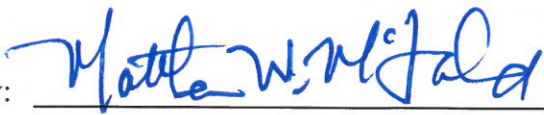
DAVID ADAM BAKER,	:	Case No. 1:19-cv-60
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
vs.	:	
	:	
JEFFREY CARNINE, et al.,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS
(DOC. 31) AND DENYING MOTION TO DISMISS (DOC. 6) AND MOTION FOR
JUDGMENT ON THE PLEADINGS (DOC. 24) AS MOOT**

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Karen L. Litkovitz (Doc. 31), to whom this case is referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations in its entirety. Accordingly, the Court rules as follows:

1. Defendants' Broo, McIlwain, and Stachowiak's motion to dismiss (Doc. 6) is **DENIED** as **MOOT**.
2. Defendant Carnine's motion for judgment on the pleadings (Doc. 24) is **DENIED** as **MOOT** to the extent it is directed towards the original or first amended complaint.

IT IS SO ORDERED.

By: 
MATTHEW W. McFARLAND
UNITED STATES DISTRICT JUDGE